

SENATE BILL 2830
By Clabough

AN ACT to amend Tennessee Code Annotated, Section 57-3-204 and Section 57-3-207, relative to issuance of retail licenses to a winery and for the sale of products manufactured at such winery.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-3-204, is amended by adding the following language as a new subsection to be designated as follows:

(i)

(1) A winery licensed under § 57-3-207 is authorized to obtain a license under this section for the retail sale of wine subject to the further restrictions of this subsection.

(2) A winery seeking to obtain a retail license under this subsection shall apply to the commission on such forms as the commission may prescribe.

(3) Notwithstanding the provisions of §§ 57-3-205 and 57-3-208, a retail license issued under this subsection may be located only on the licensed premises of the winery, and may be located on such premises whether or not such premises is located in a jurisdiction which has authorized the retail sale of alcoholic beverages pursuant to § 57-3-106.

(4) A retail licensee issued under this subsection may sell only wine as is produced and bottled on the winery premises at the retail location.

(5) A winery possessing a license under this subsection may distribute wine only to a wholesaler licensed pursuant to § 57-3-203 where such wine is intended for sale at retail in this state. A wholesaler may permit a winery to deliver its product directly to the premises of a retailer licensed under this subsection, provided, that the wholesaler permitting such direct delivery must include the amounts so delivered in its inventory and depletions for purposes of tax collections imposed pursuant to §§ 57-3-302, 57-6-201 and 57-3-501.

SECTION 2. Tennessee Code Annotated, Section 57-3-207, is amended by deleting subsections (f), (i), (j) and (k) in their entirety.

SECTION 3. Tennessee Code Annotated, Section 57-3-207(h), is amended by deleting the language "In addition to its own wine, a", and by substituting instead the language "A".

SECTION 4. Tennessee Code Annotated, Section 57-3-204(b)(1), is amended by adding the following language at the end of the subdivision:

Any entity holding a license issued pursuant to § 57-3-207 may obtain a license under this section without the necessity of paying any additional license fee to the commission.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.